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Date of Deposit: - January 22, 2007

Type of Document(s): - Transmittal Form (PTO/SB/21)  
- Amendment and Response to Final Office Action  
(15 pages)  
- Postcard Receipt

Application No.: - 10/716,609

Filed: - November 20, 2003

Applicant(s): - Balakrishnan SRIDHAR et al.

Title: - METHOD AND APPARATUS FOR OPTICAL  
AMPLIFYING DEVICE GAIN CONTROL  
WITH GAIN THRESHOLD

Examiner: - Ari M. Diacou

Art Unit: - 3663

Attorney Docket No.: - 10.0605

I hereby certify that the above-referenced documents are being/have been deposited with the United States Postal Service "Express Mail Post Office to Addressee" in accordance with 37 CFR 1.10 on the above-referenced date and are being/have been addressed to: **Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 USA.**

Barbara C. Brown  
Barbara C. Brown  
North Carolina State Bar/Certified Paralegal



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| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 10/716,609                  |         |
|                                                                                         | Filing Date          | November 20, 2003           |         |
|                                                                                         | First Named Inventor | Balakrishnan SRIDHAR et al. |         |
|                                                                                         | Art Unit             | 3663                        |         |
|                                                                                         | Examiner Name        | Ari M. Diacou               |         |
| Total Number of Pages in This Submission                                                | 17                   | Attorney Docket Number      | 10.0605 |

| ENCLOSURES (Check all that apply)                                         |                                                                                    |                                                                                         |
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| <input checked="" type="checkbox"/> After Final                           | <input type="checkbox"/> Petition to Convert to a Provisional Application          | <input type="checkbox"/> Proprietary Information                                        |
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| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <div>Remarks</div> <div>Return Receipt Postcard<br/>Express Mail Certificate</div> |                                                                                         |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                        |          |        |
|--------------------------------------------|------------------------|----------|--------|
| Firm Name                                  | CLEMENTS / WALKER      |          |        |
| Signature                                  |                        |          |        |
| Printed name                               | Christopher L. Bernard |          |        |
| Date                                       | 1-22-2007              | Reg. No. | 48,234 |

| CERTIFICATE OF TRANSMISSION/MAILING                                                                                                                                                                                                                                                                           |                  |      |           |
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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: |                  |      |           |
| Signature                                                                                                                                                                                                                                                                                                     |                  |      |           |
| Typed or printed name                                                                                                                                                                                                                                                                                         | Barbara C. Brown | Date | 1-22-2007 |

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Attorney Docket No.: 10.0605

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                 |   |                                                                                           |
|-----------------|---|-------------------------------------------------------------------------------------------|
| Applicant(s)    | ) | Balakrishnan SRIDHAR et al.                                                               |
| Application No. | ) | 10/716,609                                                                                |
| Filing Date     | ) | November 20, 2003                                                                         |
| Title           | ) | METHOD AND APPARATUS FOR OPTICAL<br>AMPLIFYING DEVICE GAIN CONTROL<br>WITH GAIN THRESHOLD |
| Examiner        | ) | Ari M. Diacou                                                                             |
| Art Unit        | ) | 3663                                                                                      |

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**AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION**

Dear Sir/Madam:

In response to the final Office Action mailed November 20, 2006, rejecting Claims 15-31 of the above-referenced Application, in which Claims 15-31 are pending (Claims 1-14 having been previously withdrawn in response to an election/restriction requirement), Applicants respectfully request that the following amendments be entered and remarks be considered, without prejudice or disclaimer to continued examination on the merits. In view of these amendments and remarks, Applicants submit that the Application is now in condition for allowance, without further search, and respectfully request such action.